



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

IFC  
S

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,820	04/21/2004	Werner Seifried	298-239

28249  
 DILWORTH & BARRESE, LLP  
 333 EARLE OVINGTON BLVD.  
 UNIONDALE, NY 11553

CONFIRMATION NO. 7258  
**FORMALITIES LETTER**  
  
 \*OC000000013082865\*

Date Mailed: 06/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

09/02/2004 DEMMANU1 00000010 10828820

01 FC:1051

130.00 0P

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**  
**Attorney Docket: 298-239**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Seifried et al.

Serial No: 10/828,820

Filed: April 21, 2004

For: SYSTEM FOR THE TRANSPORTATION OF CONSTRUCTION  
MACHINES, PREFERABLY EXCAVATORS

Dated: August 30, 2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application, dated June 28, 2004, Applicants enclose herewith a properly executed original Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63. Also enclosed is a check for \$130.00 to cover the surcharge under 37 C.F.R. §1.16(e) along with a copy of the Notice to File Missing Parts of Non-Provisional Application.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 30, 2004.

Dated: August 30, 2004

  
George M. Kaplan

If the enclosed check is insufficient for any reason or becomes detached,  
please charge the required fee under 37 C.F.R. §1.16(e) to Deposit Account No. 04-1121.  
TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



George M. Kaplan  
Registration No. 28,375  
Attorney for Applicants

DILWORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
(516) 228-8484